

The Alliance Herald

Official Paper of Box Bu.

TWICE A WEEK—TUESDAY AND FRIDAY

Official Paper of the City of Alliance

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ALLIANCE, BOX BUTTE COUNTY, NEBRASKA, FRIDAY, MAY 26, 1922

No. 52

CITY MANAGER TELLS DETAILS PHONE HEARING

WILL REQUIRE SEVERAL WEEKS TO COMPLETE IT.

Decision on Application for an Increase in Rates Expected Some Time in July.

City Manager N. A. Kimmish, who represented Alliance in the hearing before the state railway commission this week on the application of the Northwestern Bell Telephone company for authority to increase rates, returned to Alliance Thursday. Mr. Kimmish took a prominent part in fighting the application, and submitted a lengthy brief in which he relieved the situation from a number of angles and submitted facts and figures in support of his position that the company is not justified in asking for additional revenues.

Mr. Kimmish has given the following statement in regard to what has happened in the hearing to date, and the prospects for a favorable decision:

"The first three days this week we attended the hearing regarding the application of the Northwestern Bell Telephone company for increase in telephone rates now before the state railway commission at Lincoln. It was indeed gratifying to see the thoroughness with which the railway commission is going into this matter. This hearing has been in progress in one form or another for nearly four weeks. It will require several weeks yet to complete it. The commission will not be in position to give its final order until possibly sometime in July after all evidence given during this hearing has been thoroughly gone into.

Commission Is Alert.

"In the interests of the public, the railway commission has employed special accountants and engineers and legal council to assist them in obtaining the facts. Members of the commission are alert and on their toes, so to speak, and from all indications they are striving to get at the facts in the case.

"The commission has made a study of ten representative cities in Nebraska, in which Alliance was chosen as the first one of these representative cities. This study shows a wide variation of returns made upon the investment. Alliance stands well up to the head of the list. Outside of Omaha, Alliance has been more frequently referred to than any other city all through the hearing. We feel that the commission has our problem well in hand and that when the final order is given that we will be given just and fair consideration.

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Commencement Exercises Tonight at the High School

The high school commencement exercises will be held this evening at the high school auditorium. Dr. Walter Aitken of St. Paul's M. E. church of Lincoln will deliver the commencement address. Twenty-four will graduate this year, this being somewhat smaller than the preceding classes, last year's class having forty-two. Besides the address and the presentation of the diplomas there will be a number of features on the program.

The scholarship honors for this year's class will also be awarded. This will be the presentation of the Excellent Scholarship Honor pins. These pins are donated each year by C. A. Newberry to each student, who, during his or her high school career, has never failed in a subject, has never had an average for the entire year lower than 83 per cent, and whose average in all subjects is 92 per cent or over. There are also certain provisions pertaining to attendance.

Following is the program:
March, orchestra.
Vocal solo, Mrs. Beal.
Invocation, Rev. M. C. Smith.
Violin solo, Mr. LaRiviere.
Address, Dr. Walter Aitken.
Vocal solo, Mrs. Rhein.
Presentation of diplomas, Judge J. H. Hewitt.

Awarding of scholarship honors, Superintendent W. R. Pate.
Vocal solo, Mr. Dingey.

The graduates are: Florence Baker, Mariellen Beagle, Leota Becker, Robert Bicknell, Raymond Brown, Harold Clark, Genevieve Dotson, Oral Edwards, Ethelyn Ellis, Jimmie Fowler, Dorothy Hampton, William Hilton, Clement Kniest, Theresa Looney, Irma Miller, Edward Morrow, M. J. O'Connor, Blanche Peterson, Clarence Ralls, Ella Thompson, Rowland Threlkeld, Belya Tipple, Grace White, Josephine Wright.

Those who will receive excellent scholarship honors, which means that the student must have an average of 93 per cent or over are Mariellen Beagle, Dorothy Hampton, William Hilton and Rowland Threlkeld.

Mr. and Mrs. Ed Bishop left Wednesday night for California, where they will spend about a month's vacation. According to Mr. Bishop this is his first vacation in years.

MEMORIAL DAY.

We, as a nation, have adopted May 30, of each year as the time to decorate the graves, and to pay tribute to the memory of those who served in our wars and especially those who sacrificed their lives that ours might be more secure. We trust that every citizen will use a portion of this day in observing this beautiful custom.

To this end, we ask the business men of Alliance to close their places of business at noon for the balance of the day on Tuesday, May 30, and join with the American Legion, United Spanish-American War veterans, and members of the Grand Army of the Republic and others in a program during the afternoon in memory of our soldier dead.

N. A. KEMMISH,
City Manager.

SETTLEMENT OF FORD CAR ROW NOW IN SIGHT

CALVIN WALKER ACQUIESCES IN SUGGESTION MADE.

Says if Harry Coursey Will Donate Ancient Flivver, He'll Accept Under Certain Conditions.

At last it begins to look as though a compromise settlement might be reached in the Ford car controversy, which has stirred up considerable excitement in Alliance since Calvin D. Walker, who held the winning number in the drawing following the automobile show, was ruled out on the ground that he was a business man. Mr. Walker made the point that although he was a business man he was not, strictly speaking, a merchant, and that any man who transacted business was a business man. The puzzle was put up to the forty-eight merchants who contributed the money to buy the prize Ford, and Walker secured twenty-four signatures to a petition asking that the car be turned over to him, and as this was not a majority, a secret ballot of the merchants followed. In the secret ballot, Walker secured twenty-one supporters to twenty-four for P. I. Beach, second man in the drawing, and Beach was awarded the car.

In a letter to The Herald, Mr. Walker accepts a proposition which Harry Coursey is quoted as making.

Up to Harry Coursey

Mr. Walker's letter follows:
ALLIANCE, Neb., May 25.—To the Editor of The Herald:

"Harry Coursey says that if Calvin insists upon having a car he has an old one over there that he will give him. This ought to end the controversy."—Alliance Times, May 23.

I hereby accept Harry's most generous offer of the old Lizzie, and ask that delivery be made at once.

When Harry turns the old boat over to me I am going to ask that Col. L. E. Bliss auction it off to the highest bidder on the streets of Alliance, Saturday, June 3, and the entire proceeds turned over to the Alliance Fire department. Thus a most happy culmination will be had to this Ford drawing contest and everybody will be satisfied. It is now up to Harry.
CALVIN D. WALKER.

Palace Market Sold Wednesday to Doell Bros

The Palace Market on Box Butte avenue is now in possession of F. W. and Arthur Doell of Oakes, N. D., the arrangements for the purchase being completed Wednesday. Guy Smith, former proprietor, will remain with them for two or three weeks. He has not yet made plans for the future.

The Messrs. Doell are young men who have had considerable experience in the meat and produce business, and expect to make a number of improvements in the market, as well as increasing the scope of the business. While they will, for the present, handle the packing house products, they hope to make arrangements soon for killing and dressing their own meats. Their father is planning to spend some time with them, and is now on the ground assisting them in getting things into ship-shape.

E. Schadwinkel, who recently purchased the Alliance bakery, is a cousin of the Doell brothers, and it was largely through his efforts that the young men decided to have a look at Alliance before choosing another location.

Mrs. Kniest and her small son, Frances, left Wednesday for California, where they will make their home. Mrs. Kniest has been employed for the past few years in J. W. Guthrie's insurance office.

MOSES KINKAID CHANGES MIND A SECOND TIME

SIXTH DISTRICT CONGRESSMAN SAYS HE MEANS IT.

Has Now Withdrawn the Withdrawal of His Withdrawal and Is Out of the Race.

Unless Congressman Moses P. Kinkaid again withdraws his withdrawal he will find himself out of the race for the nomination for congress, according to the State Journal. The official record made up Tuesday in the office of Secretary of State Amsherry shows that Mr. Kinkaid is not a candidate for re-election. His official withdrawal from the race, dated May 20, was received and is now on file. It stands alone, there being no withdrawal of the withdrawal. Some who are familiar with the congressional mind of Kinkaid are of the opinion that he intends to run for congress again but the record at the state house does not indicate it.

Last Friday a newspaper dispatch from Washington said Mr. Kinkaid had decided to withdraw his nomination filing and would not run. Dispatches published Saturday morning said he had changed his mind and that he had been importuned to stay in the race and that in consideration of his not being required to do anything in the campaign he would prevail upon his physician to let him run just once more, making the eleventh consecutive run for a two years term in congress.

Now comes the official record. Secretary Amsherry filed as a candidate Kinkaid's withdrawal from the race. The committee appointed to investigate the location of the new high school building brought in a report which was placed on file. A letter from Glen H. Venrik of Crete was read, which told of an almost identical situation there such as existed in Alliance. An election had been held to vote bonds for the erection of a school house on a certain designated site. The bonds carried and the school board concluded that the school house should be located on an adjoining site. The attorney, basing his opinion on the case of Gaddis vs. School District of the City of Lincoln, 92 Neb. 701, 139 N. W. 230, advised the board that they had power to build the school house where they thought best. The site was changed and the matter never was questioned in the courts.

The Crete experience comes a trifle late for use in Alliance, inasmuch as the work of construction has already started, and the excavation for the basement is about half-way completed.

President Burr announced the appointment of the following entertainment committee for the month of June: Will O'Keefe, chairman; Harry Sims, John Henneberry and Charley Adams.

Lion Brittan brought up the matter of the need of a state agricultural experiment farm in Box Butte county, particularly with reference to its value for the promotion of the seed potato industry. It was decided to appoint a committee to look into the matter and that if advisable the movement to secure such a farm be started. The president appointed the following committee: Charles Brittan, chairman; True Miller, Lloyd Thomas, Robert Graham, Lee Basye, William Harper and Penrose Romig.

Lion True Miller brought up the matter of an endorsement of the St. Lawrence and Great Lakes deep waterway proposition, as recently endorsed by the Omaha Lions club. Motion of Harper, seconded by Walker, that matters of this nature be referred to the board of directors for approval or report before action by the club. Motion carried.

Good Fellowship Chairman Frank Abegg then took charge of the meeting. He made a few short remarks and stated that inasmuch as the time was short he would give a more extended talk at some later date.

Lion Graham then made an excellent report of the hearing which he recently attended in Omaha, as a witness in the application for a revision of live stock rates on the Burlington. He explained to his fellow Lions the situation as it has existed for several years, by which a shipper of live stock could save from \$19 to \$24 per car by shipping his stock from the Union Pacific or Northwestern in preference to the Burlington. He also stated that many cattle were being shipped to Kansas City instead of Omaha because of the fact that the freight rate to Kansas City was cheaper than to Omaha, a lesser distance. Lion Graham stated that he believed some favorable action could be looked for.

Judge Arthur S. Wray of York, candidate of the third party for United States senator, is speaking at Hemingford this afternoon and will this evening address a meeting at Fairview, it is announced. The meeting tonight will be held at the Nye place.

Graduation Exercises of Eighth Grade Held Thursday Evening

The eighth grade graduation exercises were held Thursday evening at the high school, Dr. L. L. Combs, pastor of the Central Christian church of Salt Lake City, Utah, delivering the commencement address. This was in the nature of good advice to the eighth graders and was greatly enjoyed both by the graduates and the audience. Ninety-three graduated from the various schools, this not including the public schools of Alliance. The program for the exercises was:

Carolina Rose, orchestra.
Marche Aux Stambaux, orchestra.
Stars and Stripes Forever, class.
Invocation, Rev. Stephen J. Epler.
Barcarolle, class.
Address, Dr. L. L. Combs.
Humoresque—Hour of Memory, class.

Presentation of diplomas, Superintendent W. R. Pate.

Presentation of the medals awarded by the Daughters of the American Revolution, Mrs. S. W. Thompson.
Cupid's Arrow, orchestra.
Benediction, Rev. Stephen J. Epler.

R. B. HOWELL TO TALK TO THE LIONS TUESDAY

CANDIDATE FOR SENATOR WILL TELL OF RADIO

Court Decision Indicates That School Board Can Select Site for Building.

The regular weekly meeting and dinner of the Lions club of Alliance, was held Thursday at the Palm Room of the Alliance hotel.

Good Fellowship Chairman Frank Abegg read a message relative to a speech to the Lions, or with the Lions as hosts, by R. B. Howell of Omaha on the evening of Tuesday, May 30. He also stated that he had been in communication with representatives of Mr. Howell on the matter. It was decided that the regular weekly meeting for next week be held on May 30, with Mr. Howell as guest and speaker, the lowship Chairman Abegg.

The matter of the Omaha convention on June 5 was taken up and the following Lions signified their intention of attending: Lions Romig, Abegg, Miller, Adams, O'Bannon, Harper and Henneberry. The secretary was instructed to advise the Omaha club of the probable number to attend. A wire was read from A. Baker, Cheyenne, Wyo., district governor for Wyoming, regarding the attendance of delegates at the Torrington convention on June 2 and 3. The secretary was instructed to advise him that there would probably be no delegates from Alliance.

High School Location

The committee appointed to investigate the location of the new high school building brought in a report which was placed on file. A letter from Glen H. Venrik of Crete was read, which told of an almost identical situation there such as existed in Alliance. An election had been held to vote bonds for the erection of a school house on a certain designated site. The bonds carried and the school board concluded that the school house should be located on an adjoining site. The attorney, basing his opinion on the case of Gaddis vs. School District of the City of Lincoln, 92 Neb. 701, 139 N. W. 230, advised the board that they had power to build the school house where they thought best. The site was changed and the matter never was questioned in the courts.

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State Experiment Farm

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Judge Wray Speaks at Hemingford and Fairview Today

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THE WEATHER

Forecast for Nebraska.—Increasing cloudiness tonight. Saturday unsettled. Probably showers and cooler west and central portions.

Booster Trip to Agate Planned for June 4 or 11

Preparations for marking the Agate highway from Alliance to Agate are going ahead steadily. The booster trip is planned for either June 4 or 11, at which time a large delegation of autos will go from Alliance and Hemingford to Agate, to meet there with the Sioux county commissioners, Harrison boosters, and others interested.

Messrs. Jenkins and Wiltsey of the Hemingford chamber of commerce road committee called at the Alliance chamber office on Friday and spent some time going over Agate highway plans. The Hemingford chamber committee will handle the marking and work on the highway from that city to Agate.

TRIP TO K. C. TURNED OUT TO BE EXPENSIVE

JOHN MCCARTHY SAVES ONLY SMALL PART OF \$1,700.

Suit in District Court Brings Out Details of An Interesting Excursion.

In the trial of the case of the Southwestern Mercantile company of Kansas City vs. John McCarthy of Lakeside and the Potash State bank of Antioch, held in district court in session at Rushville this week, the testimony disclosed an interesting story. The Potash State bank was represented by Attorney William Mitchell of this city, Mr. McCarthy by S. L. O'Brien of Crawford and the plaintiffs by legal talent from Rushville. The Alliance attorney was successful in getting the case against the bank dismissed, but the Lakeside man succeeded in having only a small portion of the \$1,700 over which the case arose.

It appears that McCarthy is a bachelor, some sixty years of age, who was employed for some time by a Lakeside potash plant during the period of prosperity and afterward. He had saved up at least \$1,700 and started out for Kansas City to enjoy himself. He took the money with him in two drafts from the Potash State bank, one for \$700 and the other for \$1,000. Arriving at Kansas City, he apparently became bewildered by the tall buildings. At any rate, when he presented his drafts at a Kansas City bank to cash, the bank officials refused to accommodate him.

Into the Hands of the Enemy.

Right at this point, the testimony showed that McCarthy fell into the hands of the Philistines. Disheartened, he was turning away from the cashier's window, when a hand clutched his sleeve. It was one of the members of the Southwestern Mercantile company. This gentleman, whose face was of a decidedly Hebraic cast, whispered to him that even if the bank wouldn't cash his check, his company would, provided Mr. McCarthy made a small purchase of goods.

This solution of his difficulties appealed to McCarthy, and he accompanied his new friend. The Southwestern Mercantile company proceeded to show the goods. And they sold him a little bit of everything, including a felt overcoat, a quantity of jewelry, a thirty-second degree Masonic charm and ring. When the bill was figured up, it amounted to \$465.

At this point, the testimony of plaintiff and defendant diverges. The plaintiffs declare that they counted out his change to him and placed him aboard a train bound for home and that they thought everything was all right until they saw him the next morning in company with a gentleman of color. The defendant declares that when he awoke the next morning he was in a hotel in Kansas City and that his bankroll, he discovered, consisted of fifty-one one-dollar bills.

But in some manner, the two drafts disappeared. The Southwestern Mercantile company wrote the Potash State bank, saying that they owned the drafts, but had misplaced them, and requested that the money be sent them by the next mail, and greatly obliged. The bank replied that they had the money and would pay it out when the drafts were returned, properly endorsed.

The mercantile company promptly brought suit against the bank and McCarthy. The court held that the bank was not a party to the suit. Judge Westover, in making his decision, proceeded to fix the value of the goods purchased by McCarthy, and found that they were worth but \$116 instead of \$465 that McCarthy had paid. This resulted in a saving to the defendant of \$350. The \$1,700 has been paid over to the court and will be forwarded to the Kansas City firm.

The trip to Kansas City occurred about a year ago. Mr. McCarthy told the court that he was quite a traveler in his way.

WANT FURTHER REDUCTIONS IN FREIGHT RATES

C. OF C. SPONSORS A MOVEMENT TO THIS END

Asks Co-operation of Other Commercial Organizations in Securing Readjustment

A. T. Lunn, chairman of the traffic committee of the Alliance chamber of commerce, with the approval of the members of that organization, has started a campaign to secure equitable reductions in freight rates. The following letter by Mr. Lunn will be sent to chambers of commerce in Nebraska, and if it meets with their approval, united action will be secured.

Mr. Lunn points out that freight rates have been increased approximately 100 per cent since June 25, 1918. He asks a number of very pertinent questions concerning rates and wages, and makes it clear that the movement is not intended to secure a lowering of wages.

The letter follows:

"Dispatches from Washington under date of May 21, state that President Harding has been making a very praiseworthy effort to induce the larger railroads to make a voluntary reduction in freight rates. For some time past it has been generally felt that the time has come when some direct pressure should be brought to bear on the railways of the country to reduce their freight rates, or on the Interstate Commerce commission to require the railroads to show cause why their rates should not be reduced.

"The general public and the commercial bodies have stood aloof, while bearing the burden, presumably with the idea that to interfere or bring about such pressure might be looked upon as an indication that if they should agitate the question, they would be taking a part of the railway companies in their contention that a reduction in rates would mean a reduction in the wages of railway employes.

Increases Since 1918

"The records show that as a general average the freight increases have been—25 per cent effective June 25, 1918, with a further increase on that of 35 per cent, effective August 23, 1920; a total rate increase of 65.75 per cent. We may safely assume that the numerous changes in classification during the same period have made an average increase of 31.25 per cent, bringing about a general increase of approximately 100 per cent since June 25, 1918.

"We may ask, without taking any further part in the discussion between the railway company and the employes:

(Continued on Page 4).

Boyd is Released From County Jail Tuesday Evening

Jesse Boyd, who with Harve Shepherd, was arrested May 1 by Officer Stillwell and Burlington Special Agent Martin, was released Tuesday evening, his bond of \$1,000 being furnished by C. H. Benjamin of Alliance and M. O. New of Hay Springs. Boyd has been in the county jail twenty-two days, having been put in on May 1. The other man who was arrested with him, Harve Shepherd, was released about ten days ago.

Boyd and Shepherd were arrested when found emerging from the alley between Second and Third street on Cheyenne avenue with two tires which they had taken from the Farmers' Union. They pleaded guilty to the charge at the preliminary hearing and will be tried at the term of district court starting early in September. Boyd was shot in the left leg at the time of the capture and was unable to walk until recently. He now walks with a slight limp. Boyd, it will be remembered, was found in his home after having run two blocks with a bullet in his thigh.

The men evidently will fight conviction on the charge, as they did not wish to plead guilty and go to Rushville to Judge Westover to be sentenced even at the time when it appeared very doubtful if they could obtain bond. Their case will be among the first to be taken up at the next term of district court, which convenes September 11.

County Attorney Gets Hint of An Autoist Without 1922 Tag

County Attorney Lee Basye received a letter Thursday from some unknown person informing him that this person's neighbor had failed to obtain an auto license, and that this should be attended to. The letter was signed "Observer." The matter was taken up with the person mentioned and a license was immediately obtained. Mr. Basye remarked that if Observer knew of any more cases in which the law is being disregarded, that the information would be most welcome.